

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BRIAN MUNOZ,

Plaintiff,

v.

BENSON, *et al.*,

Defendants.

Case No. 3:24-CV-00048-ART-CLB

ORDER ADOPTING REPORT AND  
RECOMMENDATION

Before the Court is Judge Baldwin's report and recommendation ("R&R") recommending dismissal of this action without prejudice for failure to update address. (ECF No. 32.) For the following reasons, the Court adopts the R&R in full.

Magistrate judges are empowered to issue reports and recommendations on dispositive issues, which district judges may "accept, reject, or modify, in whole or in part." 28 U.S.C. § 636(b)(1)(C). Where, as here, neither party objects to a magistrate judge's recommendation, the district court is not required to perform any review of that judge's conclusions. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Judge Baldwin recommends dismissal of this action without prejudice because Mr. Munoz has failed to update his address despite a Court order to do so. (ECF Nos. 32, 28.) Mr. Munoz updated his address on November 12, 2024. (ECF No. 12.) However, mail sent to Mr. Munoz at that address has since been returned as undeliverable. (ECF Nos. 16, 20, 27, 29, 31, 34.) Judge Baldwin issued a minute order warning Mr. Munoz that failure to update his address may result in dismissal on March 21, 2025. (ECF No. 28.) On April 25, 2025, Judge Baldwin issued this R&R recommending dismissal. Mr. Munoz has not objected to Judge Baldwin's R&R, and his time to do so has now expired. (ECF No. 32 at 3.) The Court agrees with Judge Baldwin's reasoning and adopts her R&R in full.

1 It is therefore ordered that Judge Baldwin's report and recommendation  
2 (ECF No. 32) is adopted.

3 It is further ordered that this action is dismissed without prejudice.

4 The Clerk of Court is directed to close this case and enter judgment  
5 accordingly.

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7 DATED: May 16, 2025

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12 ANNE R. TRAUM  
13 UNITED STATES DISTRICT JUDGE  
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